

REMARKS

This Amendment is responsive to the Office Action mailed 1 July 2005.

Amendments to the Specification:

The specification has been amended to correct typographic errors noticed by the Applicant. No new matter has been added.

Election of Claims:

The Applicant hereby confirms its election of claims 1-34 of this application. A provisional election had been agreed to during a telephone conference with the Examiner on 16 June 2005. The Applicant expressly reserves its right to file one or more divisional or other related application(s) covering the subject matter of previously-asserted claims 35-67.

Obviousness Objections:

In the Office Action, the Examiner raised a *35 USC §103(a)* objection to claims 1-34 of the present application, contending those claims set out subject matter which would have been obvious at the relevant date to one skilled in the art. The Examiner cited two primary references against all of claims 1-34, namely, Dewitte (US Patent No. 6,823,793) and Murphy et al. (US Patent No. 6,472,121). These two references, in combination with the teachings of a third reference (Holmstrom - US Patent No. 4,643,094), were cited in connection with claim 8.

The Applicant submits that the Dewitte reference (US Patent No. 6,823,793) does not constitute citable prior art against the present application. The Applicant notes that its invention was made well in advance of the 6 January 2003 filing date of the Dewitte reference. The Applicant's invention, as recited in claim 1 and claims depending therefrom, is believed to have been previously described in at least one of the two parent applications relating to the present application (application Nos. 10/739057 and 10/271991), and in the Canadian application from which priority was originally claimed (application No. 2,359,259).

The Applicant has provided with this Amendment an Affidavit of George F. Kondor, which attaches a copy of U.S. patent application No. 10/271991, which was filed on 17 October 2002. The Examiner's attention is drawn to claims 1 and 4 and to paragraph [0030] of that application, which when reviewed together disclose the Applicant's invention, as recited in claim 1 of the present application. Since the 10/271991 application predates the cited Dewitte reference and the instant application is a continuation-in-part of the 10/271991 application, the Examiner is requested to reconsider and withdraw this citation.

It is submitted that claims 1-34 are in condition for allowance, which is respectfully requested.

Respectfully submitted,
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